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Docket No.: 03025/100G659-US2

REMARKS

This amendment responds to the Official Action mailed on January 26, 2005. Claims 1-16 are pending.

Information Disclosure Statement

The Information Disclosure Statement submitted on August 27, 2001 ("IDS") includes two form paragraphs on which the Examiner has commented.

There is a form paragraph concerning any foreign language documents that may be cited on an accompanying Form-1449. The Form-1449 that accompanied the August 27 submission included zero foreign language documents and so there were no English translations to provide.

There is also a form paragraph concerning "any" cited documents in the specification is respectfully submitted to not be in error. As the Examiner noted, there are no documents cited in the specification. Applicant has listed on the Form-1449 those documents that are to be cited under rules 37 CFR 1.97 and 1.98.

35 U.S.C. Section 112, Paragraph 2 Rejection

Claims 1-16 stand rejected under 35 U.S.C. Section 112, paragraph 2 in view of the recitation "scheduled" in the preamble and "scheduling" in the body of the claim. By amendments to claims 1 and 9, this temporal issue has been corrected, and withdrawal of this ground for rejecting the claims is respectfully requested.

35 U.S.C. Section 103(a) Rejection

Claims 1-16 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over the web pages "iCarumba" which were submitted by Applicant in the aforementioned IDS.

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According to the Patent Office, iCarumba discloses a method for scheduling an appointment for a vehicle in need of servicing, and refers to the electronic appointment book in a calendar format discussed at pages 24/30 and 25/30. The Office Action states that the *customer* can use the appointment book to schedule an appointment, yet in the remarks below Applicant emphasizes that the customer does not have access to the appointment book of the service center but rather can only inform a Web site of a desired drop-off time.

The Official Action state that iCarumba discloses additional services that are sometimes available, such as loaner cars, citing to page 5/30 as an example, yet acknowledges that iCarumba does not disclose prompting a customer for a loaner car. The Patent Office's position is that the step of prompting for a loaner car would have been obvious given that loaner car services are services made available at particular service centers. The Office Action suggests that the prompt for a loaner car could be done when dropping off the car at the service center or before that time, and notes that that the original claims do not note the manner or timing of the prompting.

The Patent Office states that the recitations in step (d) of the original claims need not be accorded patentable weight because the "if" language permitted that entire clause to be read out of the claim.

Applicant's Response to 35 U.S.C. Section 103(a) Rejection

Inventor's Perspective

The inventor of the present application advises that web-based systems such as iCarumba fall short of the claimed methodology in numerous ways that make it difficult to operate a service center in accordance with customer expectations. Systems such as iCarumba lead customers to believe that if they pick a drop off date that their automobile will actually be serviced on that date; however, the service center may not have capacity on the selected date and there is no connection between the service center's appointment book and the web interface provided by iCarumba. Rather, the drop off dates are essentially preferences established at one point in time without regard

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to any actual availability of appointments. Customers show up to drop off a car and can be disappointed if the car cannot be serviced that day. Further, there is no guarantee at the time that the service appointment is being selected that a loaner car will be available to the customer making such a request. In the inventor's experience, while managing service centers of car dealerships and other repair shops, that constant vigilance is required to ensure that any requests that come through a web interface are promptly coordinated with the service center's actual book of work, and if there is a conflict then the customer must be contacted and informed that the slot "booked" online is not, in fact, an available slot at that service center.

If the Examiner believes that an affidavit to this effect would expedite prosecution of this application, he is requested to contact the Undersigned and provide an opportunity to supplement this amendment with a signed affidavit of the inventor which includes the foregoing statements.

Remarks Regarding The Claims

The amended claims more specifically call for a method for providing a loaner car in connection with scheduling a car service appointment. The amendments do not introduce new matter.

As a departure from prior art approaches, a customer establishes a communication session over a distributed computer network between his machine (e.g., a personal computer) and a host server that is associated with the service center at which the car is to be serviced.

During the course of this session with the host server, the customer is provided with access to the electronic appointment book of that service center and information as to open time slots during which the customer's vehicle can be serviced.

During the same session with the host server, the customer schedules the service appointment in one of the open time slots.

Also during that session with the host server, the customer is prompted at his machine for a loaner car with content from the host server. The content preferably informs the customer of the

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availability of or option to obtain a loaner car and that content can be with respect to the particular open time slot that is being scheduled during that session with the host server.

Step (d) of claims 1 and 9 has been amended to positively recite the step of "responding to the customer's request for the loaner car, which Applicant submits unquestionably directs the pending claims to a methodology which is implicated only when each of steps (a) through (d) are satisfied and when a loaner car has been requested. Claims 1 and 9 do not relate to methodologies in which no loaner car is requested. Respectfully, the amendments to claims 1 and 9 positively recite four acts taken in response to the customer's request for a loaner car, among which is "providing to the customer the code to the a lock box at the service center" which occurs "during the session with the host server." Applicant submits that this too is a departure from prior approaches because it permits a customer to arrange a service appointment and a loaner car during the course of a single communication session --and without interaction with a human attendant--, with the customer being provided with a code suitable for opening a lock box at the service center. The methodology of claims 1 and 9 thereby permit the customer to drop off his or her car outside of normally-attended business hours and be able to retrieve keys to a loaner car in a secure manner.

In view of the claim amendments presented herein and the foregoing remarks, reconsideration and withdrawal of the grounds for rejecting independent claims 1 and 9 are respectfully requested.

Newly Presented Claims

Applicant submits four new dependent claims to more completely cover the subject matter of the present invention. Each of these newly presented claims depends from claim 1.

Claim 17 recites several additional steps that result in a methodology that permits direct scheduling of a service appointment in the electronic appointment book of a service center selected by the customer relative to the customer's geographic local.

Claim 18 recites several additional steps that result in a methodology that permits direct scheduling of a service appointment in the electronic appointment book of a service center coupled (W:03025\100G659000\00387411.DOC: **RECEIVED**)

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with a diagnosis of a problem with the customer's vehicle, with that diagnosis being provided to the particular service center at which the service appointment is being scheduled.

Claim 19 further defines the electronic appointment book of the service center as having permission levels with customers having a different permission level than those accorded to the service center.

Claim 20 further defines the electronic appointment book of the service center as being usable both internally by the service center as well as by customers who access it and make requests through the distributed computer network.

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The features in newly presented claims 17-20 are submitted to distinguish over iCarumba both on the basis of their dependency from claim 1 and in view of their respective recitations.

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Respectfully submitted,

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